

JFW



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/814,953	03/31/2004	Terry Dietz	1671-0293

Paul J. Maginot
 Suite 3000
 111 Monument Circle
 Indianapolis, IN 46204-5115

CONFIRMATION NO. 8391

FORMALITIES LETTER



OC000000012928333

Date Mailed: 06/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Frank D. Matthews, John E. Slamin
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

08/20/2004 MAHME1 00000050 10814953

01 FC:1051

130.00 OP

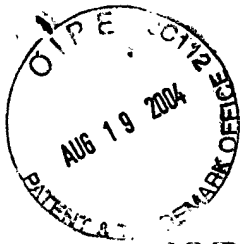
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MMB Docket No. 1671-0293

J & J Reference No. DEP 5205

Application of: Dietz et al.

Serial No. 10/814,953

Filed: March 31, 2004

For: Telemetric Tibial Tray

Group Art Unit: 3738

Examiner: To be assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 16, 2004
(Date of Deposit)

David M. Lockman

Name of person mailing Document or Fee

David M. Lockman
Signature of person mailing Document or Fee

August 16, 2004

Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the **Notice to File Missing Parts of Nonprovisional Application** dated June 14, 2004, Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts of Nonprovisional Application;
2. Copy of executed Declaration and Power of Attorney document filed with the patent application on March 31, 2004;
3. Check in the amount of \$130.00 to cover the late oath or declaration surcharge; and
4. Return Postcard.

(Note that the due date for filing this Response to Notice to File Missing Parts of Nonprovisional Application was August 14, 2004; however, since this due date fell on a Saturday, the Response is being timely filed on Monday, August 16, 2004.)

Commissioner for Patents
August 16, 2004
Page 2 of 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency or credit any overpayment, to our Deposit Account No. 13-0014. If extensions of time under 37 C.F.R. § 1.136 are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned for, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 13-0014.

Respectfully submitted,

MAGINOT, MOORE & BECK LLP

A handwritten signature in black ink, appearing to read "David M. Lockman", written over the printed name.

David M. Lockman
Attorney for Applicants
Registration No. 34,214

August 16, 2004
Maginot, Moore & Beck LLP
Bank One Center/Tower
111 Monument Circle, Suite 3000
Indianapolis, IN 46204-5115
(317) 638-2922